
Scoping Report
Environmental Impact Statement for
Simpson Timber Company's
anticipated application for an Incidental Take
Permit and Enhancement of Survival Permit

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Submitted to

U.S. Fish and Wildlife Service
National Marine Fisheries Service

Submitted by

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Introduction

This scoping report summarizes the public scoping process for the Environmental Impact Statement (EIS) being prepared in connection with Simpson Timber Company's (Simpson's) anticipated application for an incidental take permit/enhancement of survival permit under Section 10(a) of the Endangered Species Act (ESA). The EIS will consider the potential impacts of implementing Simpson's anticipated submittal of the Aquatic Habitat Conservation Plan/Candidate Conservation Agreement (Plan/Agreement). The report is organized in the following sections:

- Background
- Agency Action and the Environmental Impact Statement
- Scoping Process
- Comments Received
- Summary of Scoping Comments

Four public scoping meetings were held and eight comment letters were received, with a total of 179 individual comments. Comments were sorted into two broad categories – EIS scoping suggestions and suggestions on the Plan/Agreement. EIS scoping issues ranged from very broad concerns regarding NEPA compliance and content of the EIS to specific comments on particular resource topics. In general, several comments were made regarding the need to fully analyze alternatives, the need to demonstrate how the Plan/Agreement will comply with state and federal regulations, and the need to provide detailed baseline and operational information in the EIS to be able to analyze impacts to the environment. Specific Plan/Agreement suggestions are not included in this scoping report.

Background

Simpson is in the process of developing a conservation strategy for various aquatic and riparian species occurring on approximately 430,000 acres of Simpson's timberlands in Del Norte and Humboldt counties in northwestern California in connection with its anticipated applications for an incidental take permit and enhancement of survival permit under Section 10(a) of the ESA. Simpson's intent is to help conserve various aquatic and riparian species and the ecosystems on which they depend, within a framework of long-term regulatory certainty and flexibility. As required by the ESA, Simpson is preparing the Plan/Agreement in connection with its anticipated permit applications. Simpson expects to apply for an incidental take permit pursuant to Section 10(a)(1)(B) of the ESA from the National Marine Fisheries Service (NMFS) for coho salmon (*Oncorhynchus kisutch*), chinook salmon (*O. tshawytscha*), and coastal steelhead (*O. mykiss irideus*). Simpson is also preparing an application for an enhancement of survival permit under the Candidate Conservation Agreement with Assurances policy of the U.S. Fish and Wildlife Service (USFWS) for the coastal cutthroat trout (*Oncorhynchus clarki clarki*), tailed frog (*Ascaphus truei*), and southern torrent salamander (*Rhyacotriton variegatus*).

The Plan/Agreement prepared by Simpson in support of the anticipated applications described above will describe the impacts of the taking for which authorization is sought. In addition, the Plan/Agreement will request a conservation strategy to minimize and mitigate those impacts to the maximum extent practicable and to satisfy other application

requirements of the ESA and its implementing regulations. This conservation strategy currently assumes a Plan/Agreement term of 50 years and is expected to include enhanced stream buffers, a sediment reduction program, a monitoring program, adaptive management measures, and certain salmonid, fish, and aquatic habitat restoration activities. The plan will also identify alternatives considered by Simpson and why those alternatives were not selected.

The issuance of these permits under the ESA is a federal action and, therefore, is subject to environmental review in accordance with the National Environmental Policy Act (NEPA). The Services have determined that an EIS is required for the action.

Action and the Environmental Impact Statement

Simpson may apply for permit coverage for a variety of activities, including: mechanized timber harvest; forest product transportation; road and landing construction, use, maintenance, and abandonment; site preparation; tree planting; certain types of vegetation management; silvicultural thinning and other silvicultural activities; fire suppression; rock quarrying and borrow pit operations; gravel extraction; aquatic habitat restoration; and other forest management activities. The Plan/Agreement would also likely cover certain monitoring activities and scientific work in the plan area.

As required under NEPA, the EIS will examine potential significant environmental effects of the Services' approval of the permits, as well as the potential significant environmental impacts of alternatives to the project.

Scoping Process

The Services and Simpson held four public scoping meetings over a two-day period in July 2000 in Eureka and Crescent City, California.

The Services placed advertisements in local newspapers prior to meeting dates in each locale describing when and where each scoping meeting would be held. The four scoping meetings were held throughout the planning area as follows:

Tuesday, July 11, 2000
3:00 – 5:30 p.m. and 6:00 – 8:30 p.m.
Cultural Center Atrium
1001 Front Street
Crescent City, California

Wednesday, July 12, 2000
3:00 – 5:30 p.m. and 6:00 – 8:30 p.m.
Red Lion Inn
1929 4th Street
Eureka, California

The Services published a Notice of Intent (NOI) to prepare an EIS and announcement of public scoping meetings in the Federal Register (65 FR 133:42674 – 42676). The NOI provided information on the background and purpose of the Plan/Agreement, requested public comment on the EIS for the Plan/Agreement, and provided information on the public scoping meetings.

The objectives of the meeting were to inform the public about Simpson's Plan/Agreement and the associated EIS, and to solicit public comment on the scope of the EIS for the action

and possible alternatives for consideration in the EIS. Comments received during this period are being considered by the Services during preparation of the EIS.

These scoping meetings were conducted using an open-house format, and were hosted by representatives from the Services and Simpson. The public was greeted on arrival and asked to sign an attendance record form, listing their name, address, affiliation, if any, and whether they would like to provide oral comments at the meeting. Each guest was also given the option to provide written comments or concerns they would like addressed in the EIS, and was provided with a comment card form. The public was asked to complete and return the form upon leaving the meeting or to complete the form later and return it to the Fish and Wildlife Service by August 10, 2000.

The scoping meetings served a dual purpose of information sharing and identification of key issues of concern. Meeting hosts answered questions regarding the Plan/ Agreement, the NEPA process, and the general conservation planning process. Following this informational period, Simpson presented an overview of its planning process in developing the Plan/ Agreement. After Simpson's presentation, the Services presided over a formal comment period. Comments, issues, and concerns identified by the public during a formal comment period were recorded.

Comments Received

A total of 179 separate comments were received from individuals and organizations during the public comment period. A total of three oral comments were received from the two meetings held in Eureka. No comments were received from the two public scoping meetings held in Crescent City. Eight separate written comment letters, both e-mail and postal letters, were received by the end of the comment period on August 10, 2000. Comments were submitted by private individuals, public agencies, and private conservation groups.

The list of individuals or organizations providing written comments is as follows:

- Brian Gaffney (Environmental Protection Information Center and Sierra Club)
- California Regional Water Quality Control Board
- California Coastal Commission
- Department of Parks and Recreation
- Klamath Forest Alliance
- Northcoast Environmental Center
- United States Environmental Protection Agency
- Walter Cook

Summary of Scoping Comments

Comments regarding the EIS were categorized into five broad categories: (1) suggested alternatives, (2) general comments regarding the contents of the EIS, (3) scope of the impacts analysis, (4) analysis of impacts on aquatic species, and (5) analysis of other impacts. All comments are summarized below. Many comments were in the form of suggestions regarding the form of the Plan/ Agreement; these comments are not included in this report.

(1) General comments regarding the contents of the EIS

Several general comments were made regarding the contents of the EIS. Two commentors stated that the preparation of the EIS was premature. Two commentors questioned whether California Forest Practice Rules are protective of the environment, and others questioned if compliance with federal and state regulations would be sufficient to mitigate potential adverse impacts to species. Another substantive comment was that the EIS should analyze the HCP from the perspective that target conditions are criteria to be met for ecosystem viability, rather than determining the limits of disturbance that the ecosystem could sustain within the timber harvest management framework.

(2) Suggested alternatives for the EIS

Comments on alternatives analysis for the EIS generally focused on the need to fully explore all feasible alternatives, pursuant to the standards set forth in NEPA. One commentor made several suggestions regarding an acceptable No-Action alternative. The commentor indicated that a No-Action alternative would only be acceptable if it assumed that all applicable laws and regulations would be met. The commentor indicated that it would not be acceptable to have a No-Action alternative that was not protective of ecosystem health. Several project alternatives were suggested by one commentor, including (1) no harvesting in old-growth stands, (2) no harvesting in critical habitat areas, (3) no harvesting in watersheds or areas where covered species likely occur, (4) adoption of Northwest Forest Plan or Mantech Report management standards, (5) elimination of tractor yarding, and (6) permit terms less than 10 years.

(3) Scope of the impacts analysis

Many general comments on the scope of the impacts analysis were received. Several comments stated the need to assess direct, indirect, and cumulative impacts to the environment as a result of all activities discussed in the NOI. Several comments were made regarding the scope and method of addressing cumulative impacts. Four commentors made several comments regarding the need to identify and address wildlife and vegetation other than threatened and endangered species that have the potential to be impacted by timber management activities.

(4) Analysis of impacts on aquatic species

Many comments were provided regarding the content and scope of the analysis on aquatic species and related issues. Several commentors expressed the need for the EIS to determine if the HCP was in compliance with several federal and state laws or programs, including the Clean Water Act and Total Maximum Daily Load (TMDL) provisions. Several general comments were made regarding appropriate topics to be included in the analysis of impacts on aquatic species, including analyzing impacts of water quality changes on several aspects of species survival. Other suggested topics to be addressed included issues related to aquatic species, such as the analysis of implementing the action on floodplains. Several comments were made requesting clarification on large woody debris recruitment and road management. Several comments were made by one commentor regarding mitigation, including monitoring for short-term and long-term effectiveness and the need for species-specific mitigation. Several comments were made by one commentor regarding specific information requested to be disclosed in the EIR about watersheds that Simpson has

ownership in, including a comparison among other watersheds on species viability. Several comments were raised by one commentor requesting specific information on operational procedures, such as yarding standards.

(5) Analysis of other impacts

Several comments were provided regarding analysis of other impacts, including other topic areas such as coastal resources, air quality, and environmental justice.